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EXAMINER

SWEARINGEN, JEFFREY R

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/011,029

Applicant(s)

PADALA, CHANDRASHEKAR R.

Examiner

Jeffrey R. Swearingen

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Drawings***

1. The drawings are objected to because the reference characters and their placement within the drawings cause confusion. Numerals are preferred as reference characters. Characters should generally not be enclosed in an outlined area or encircled. For example, P1 is used as a reference character in Figure 1, but also appears in 9 other items in Figure 1 where Examiner assumes P1 is not being used as a reference character. See 37 CFR 1.84(p). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include numerous reference character(s) not mentioned in the description. Examples include but are by no means limited to Figure 1, items "BIZ SERVER", "P1-PN", "INDEX INFO OF P1 TO XN", "RETURN P1 INFO"; Figure 2, items "RELATIONSHIP", "AN"; Figure 5, item 506. The Examiner has not listed all such reference characters because of the numerous problems with the drawings in this respect discovered during examination. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement

Art Unit: 2145

drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include reference signs mentioned in the description. Examples include, but by no means are limited to "BU" [Specification, page 5, line 32]. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities: On page 2 of the disclosure, line 2, "describe" should be changed to "described". On page 6 of the disclosure, line 34, "describe" should be changed to "described".

5. Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2145

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-3, 5-12, 14-15, 17-19, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Huitema et al. (U.S. Pub. No. 2002/0143989).

8. In regard to claim 1, Huitema discloses a peer-to-peer name resolution protocol (PNRP). The PNRP works in the absence of any centralized server. The PNRP can be integrated with the domain name system (DNS) to provide resolution of logical names to addresses. If name-to-address information for a particular node is not located in the local routing table, the request for said information is forwarded to the node that advertised the node entry in question. Huitema does not explicitly disclose the presence of two network servers sharing information, but such network servers would be considered peers in a peer-to-peer network as described in Huitema. Therefore the sharing of peer information over the PNRP fits the limitations of claim 1 when utilized by two peers. [See Huitema, Abstract, paragraphs 0015, 0018, 0019, 0044.] By this rationale claim 1 is rejected.

9. In regard to claim 2, Huitema is applied as in claim 1. Huitema discloses the invention can operate in the absence of any centralized server on a peer-to-peer network. The Examiner interprets this to mean that all peers utilizing the PNRP are at *equivalent hierarchical levels*. [See Huitema, paragraph 0015.] By this rationale claim 2 is rejected.

10. In regard to claim 3, Huitema is applied as in claim 1. In the specification, Huitema clearly defines common zones as *"logical groups of two or more networks which at some level share address resolution/discovery information without relying on higher level or common servers to do so."* [See specification, page 7, lines 22-25.] Two peers sharing information using a *name resolution protocol that can operate in the absence of any centralized server* [See Huitema, paragraph 0015.] fits Applicant's definition of a common zone. By this rationale claim 3 is rejected.

Art Unit: 2145

11. In regard to claims 5-6, Huitema is applied as in claim 3. Huitema discloses a peer-to-peer system, and states that a group of 10,000 members can use the system. [See Huitema, paragraph 0018.] If 10,000 members are able to have entries in the peer-to-peer address resolution system and utilize the system, then the Examiner concludes that it would be no problem to have three nodes sharing information as claimed in claims 5-6. By this rationale claims 5-6 are rejected.

12. In regard to claim 7, Huitema is applied as in claim 1. In the rejection for claim 1, the Examiner has already established that *network servers* are considered peers in a peer-to-peer network by Huitema. Said peers are able to share *name-to-address* (DNS) information upon request as the Examiner has previously stated. The Examiner finds nothing in Huitema that states that only one peer may share information with other peers. The Examiner therefore concludes that all peers in the peer-to-peer network have the ability to share the information in question. It is inconsequential whether a peer is called a *first network server* or a *second network server*. By this rationale claim 7 is rejected.

13. In regard to claim 8, the limitations of this claim are substantially the same as the limitations embodied within claim 1. Therefore the grounds for rejection previously applied against claim 1 are likewise applicable against claim 8. Claim 8 deals with an input interface and a processing unit performing functions embodied within claim 1. Huitema discloses presence of a peer on a peer-to-peer network. A peer on a peer-to-peer network would inherently have an input interface to receive messages, such as a network interface card, and a processing unit coupled to the input interface managing communications to peers on the network, such as the processor in the peer server. By this rationale claim 8 is rejected.

14. In regard to claim 9, Huitema is applied as in claim 8. The Examiner has already established the inherent need of a peer on a peer-to-peer network for an input interface to receive messages. The peer on the peer-to-peer network would also inherently have an output interface to allow communications with other peers on a network. By this rationale claim 9 is rejected.

15. In regard to claim 10, Huitema is applied as in claim 8. Huitema further discloses retrieving the address [entry] and sending it to the initial requester. If the entry is not found, the requesting node will

Art Unit: 2145

receive a negative response [*address not found reply*]. [See Huitema, paragraph 0044.] By this rationale claim 10 is rejected.

16. In regard to claim 11, Huitema is applied as in claim 8. Similarly to claim 2, Huitema discloses the invention can operate in the absence of any centralized server on a peer-to-peer network. The Examiner interprets this to mean that all peers utilizing the PNRP are at *equivalent hierarchical levels*. [See Huitema, paragraph 0015.] By this rationale claim 11 is rejected.

17. In regard to claim 12, Huitema is applied as in claim 8. Similarly to claim 3, Huitema discloses the establishment of common zone relationships. The Examiner has already elaborated on the teachings of Huitema regarding common zones as defined by the Applicant within the specification in the rejection for claim 3. By this rationale claim 12 is rejected.

18. In regard to claim 14, the limitations of this claim are substantially the same as the limitations embodied within claim 1. Therefore the grounds for rejection previously applied against claim 1 are likewise applicable against claim 14. The Examiner in the rejection for claim 2 has previously established the common zone, and the grounds for that rejection are also applied against claim 14. Huitema does not explicitly describe two separate name-to-address indexes, one for local and one for common zone addresses. However, Huitema does disclose a multi-level cache. Each level of the cache can be set to be a certain distance from the host based upon hop count. Therefore if it was necessary to differentiate between "local" peers and "common zone" peers, it could be done using the multi-level cache and hop counts. [See Huitema, paragraphs 0051-0055.] By this rationale claim 14 is rejected.

19. In regard to claim 15, Huitema is applied as in claim 14. Huitema further discloses returning a negative response to the requesting node if the address [*entry*] is not found when searching other nodes. The Examiner discloses this fully in the rejection for claim 10, which is likewise applied to claim 15. By this rationale claim 15 is rejected.

20. In regard to claim 17, Huitema is applied as in claim 14. Huitema discloses that the multi-level cache can be limited to various factors, including network size, hop count limits, and other unnamed factors. [See Huitema, paragraph 0055.] Following the Examiner's best interpretation of the specification, two common zones could be established with a partial overlap. Beyond that overlap, the

Art Unit: 2145

size of the common zone could be limited by network size, hop counts, or other values such as filtering. If as in claim 14, the multi-level cache is partitioned by level to differentiate between zones, then such a setup of common zones would be possible based on the limitations given. In the overlap between the two common zones as suggested by the specification, multiple and separate levels of the cache could be utilized toward each individual limitation or common zone. Following Huitema's teachings, various and separate levels of the cache store entries based on the aforementioned factors, which the Examiner believes include the limitations of the multiple common zones as suggested by the specification, including distance, hop counts, and other factors. Therefore, following the Examiner's best interpretation of derivative common zone name resolution based upon the specification, claim 17 is rejected.

21. In regard to claim 18, the limitations of this claim are substantially the same as the limitations embodied within claim 14. Therefore the grounds for rejection previously applied against claim 14 are likewise applicable against claim 18. By this rationale claim 18 is rejected.

22. In regard to claim 19, the limitations of this claim are substantially the same as the limitations embodied within claim 15. Therefore the grounds for rejection previously applied against claim 15 are likewise applicable against claim 19. By this rationale claim 19 is rejected.

23. In regard to claim 21, the limitations of this claim are substantially the same as the limitations embodied within claim 17. Therefore the grounds for rejection previously applied against claim 17 are likewise applicable against claim 21. By this rationale claim 21 is rejected.

Claim Rejections - 35 USC § 103

24. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2145

25. Claims 4, 13, 16, 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Huitema and Official Notice.

26. In regard to claim 4, Huitema is applied as in claim 3. Huitema fails to disclose requiring access authorization before establishing a common zone.

27. However, the Examiner takes Official Notice that requiring some sort of access authorization (e.g. logging in, rights administration, access filter lists, passwords, etc) is commonly used in the computer industry to prevent unauthorized access of information on a network, including name-to-address indices.

28. It would be obvious to one of ordinary skill in the art to require access authorization on the Huitema system for the general purpose of network security and for the more specific purpose of preventing unwanted access to servers and their network address information. By this rationale claim 4 is rejected.

29. In regard to claim 13, Huitema is applied as in claim 12. The limitations of this claim are substantially the same as the limitations embodied within claim 4. Therefore the grounds for rejection previously applied against claim 4 are likewise applicable against claim 13. By this rationale claim 13 is rejected.

30. In regard to claim 16, Huitema is applied as in claim 14. The limitations of this claim are substantially the same as the limitations embodied within claim 4. Therefore the grounds for rejection previously applied against claim 4 and claim 14 are likewise applicable against claim 16. By this rationale claim 16 is rejected.

31. In regard to claim 20, Huitema is applied as in claim 18. The limitations of this claim are substantially the same as the limitations embodied within claim 16. Therefore the grounds for rejection previously applied against claim 16 are likewise applicable against claim 20. By this rationale claim 20 is rejected.

Art Unit: 2145


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JRS


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Primary Ex.
Art 2145